

**Amendments to the Specification:**

Please amend paragraph [0026] of the originally filed U.S. application as follows (please note that this is paragraph corresponds to paragraph [0031] of the published application):

[0026] FIG. 4 shows a process flow of the third embodiment of the present invention. In this embodiment, the distance between the reflection and surface layers is used to accelerate the discrimination process (step S402). Generally speaking, the reflection layer of a DVD is substantially at an intermediate position between the upper and lower surface layers of the DVD while the reflection layer of a CD is located underneath the surface layer more distant from the light source. Therefore, ~~almost~~ recognition procedures for determining what type of the currently loaded optical storage medium ~~is~~—may be correctly accomplished by measuring the distance between the reflection and surface layers. However, there still exists a certain degree of measurement errors in the optical storage media since optical disk manufacturers may not seriously follow their specifications. Additionally, since the measurement is based on the velocity of light, the minor distance difference between the reflection and surface layers of ~~CD-CDs and DVD-DVDs~~ requires very accurate time-measurement even ~~CD if CDs and DVD-DVDs~~ are manufactured by following associated specifications. It is evident that the measurement approach is uncertain because distance error always occurs in every optical disc, which indicates that the type of the loaded optical storage medium may not be recognized correctly when the distance error is larger than a distance threshold.

Please amend paragraph [0027] of the originally filed U.S. application as follows (please note that this is paragraph corresponds to paragraph [0032] of the published application):

[0027] Therefore, when the distance between the reflection and surface layers of the optical storage medium is accurately measured, based on the distance error (step steps S402, S403 "yes", and S406), the optical storage medium can be determined as a CD (e.g. if the distance is larger than a distance threshold, step S408) or a DVD (e.g. if the distance is smaller than a distance threshold, step S410). However, when the distance between the reflection and surface layers of the optical storage medium cannot be accurately measured (i.e. when the distance error larger than a failure threshold), the optical storage medium is discriminated according to physical characteristics related to the data storage formats (e.g. by using the first or second embodiments in FIGS. 2 and 3) (step S404). After obtaining the distance or the physical characteristic (~~step S406~~), the optical storage medium can be determined as a CD (step S408) or a DVD (step S410).